

SUMMARY OF CHANGES

REGULATION 61-105 INFECTIOUS WASTE MANAGEMENT REGULATION

The South Carolina Infectious Waste Management Regulations have been amended and the new regulations are **effective June 25, 2010**.

This is a summary of the changes that have been made that affect infectious waste generators including funeral homes. The information contained here is being provided as a courtesy. Though every effort was made to insure this information is correct, please consult the written regulation to ensure compliance. The regulations will be posted on our website as soon as practical.

Definitions added or revised: öGenerator registration status,ö öPump event,ö öSite,ö öSmall quantity generator,ö öTreatment residue,ö öManifest,ö öStorage,ö and öUniversal biohazard symbolö. Broken material other than glass may be considered a sharp. The definition of mixed waste is revised to match that of the EPA.

Manifesting: Generators may delegate the creation of the waste disposal manifest (e.g. to a transporter), although generators are still responsible for making sure the manifest has been created and filled out properly. Generators now must have a record of the weight of waste generated within 50 days of that waste being picked up. Transporters and treatment facilities are no longer required to sign the manifest, although they must make note of any discrepancies. There is no longer a requirement that the manifest be returned to the generator, therefore there is no longer a requirement that generators notify the Department if manifests are not returned. Generators have the option to certify information on the form in a method other than signing by hand, if that method is legally defensible. Required paperwork, including proof of treatment, must be saved for 2 years instead of 3 and may be electronic or hard copy, as long as it is available to Department staff upon request. Generators may now offer waste for transport to the United States Postal Service (e.g., through sharps mailback programs) if the waste is packaged properly (in accordance with requirements in the US domestic Mail Manual).

Registration: Generators must provide their method of waste treatment and disposal and their Employer Identification Number upon registration. Generators must notify the Department if they relocate, close, or cease to generate infectious waste or treatment residue. Generators may accept non-regulated infectious waste generated in private residences but, after acceptance, this waste must be handled, stored, transported, and treated as regulated waste. The requirements for large quantity generators that treat waste onsite and therefore have a permit-by-rule are clarified. New appeals procedures are added.

Packaging: Requirements are clarified, and the requirement that facilities seal a container once it is full by weight or volume is added. Once a container is sealed, it must be labeled appropriately. Containers do not have to be labeled with the name of the generating facility, but they must still

be labeled with the registration number of that facility. Containers no longer need to be labeled with the words "Infectious Waste, Biohazardous Waste, or Medical Waste" although they must still be labeled with the OSHA approved biohazard symbol sign. Storage begins at the time the container is sealed. If waste is refrigerated by a generator, the transporter no longer has a requirement to refrigerate waste, except to prevent putrescence.

Embalming: Embalming is now considered a source of regulated infectious waste, however, liquid waste produced during the embalming process does not need to be weighed and does not contribute to a generator's status (which is based on number of pounds generated). Facilities that generate liquid waste during that embalming process and choose to store that waste in a holding tank have new requirements. The new tank requirements do not apply to facilities that have access to a sewer system or are already permitted for a septic tank unless they choose to additionally or concurrently store treatment residue in a holding tank. Because this liquid waste is treated during the embalming process (by "treating" with at least 2% formaldehyde), it is not considered regulated infectious waste; it is considered treatment residue. Because the treatment is part of the process of embalming, facilities that treat infectious waste in only this way are not required to obtain a permit as an infectious waste treatment facility. If this treatment residue is stored in a tank, the Department does not require further treatment before disposal at a wastewater treatment facility. However, the liquid stored in the tank must be pumped out by a person licensed by the Department for the cleaning of disposal systems. The Bureau of Environmental Health regulates these licensees under R.61-56.1 through the Division of Onsite Wastewater Management.

Transporters: Transporters no longer have to sign the manifest. Transporters are no longer required to perform radiological monitoring. Although there is no longer a requirement to maintain refrigerated or frozen waste in that state, there is still a requirement to maintain waste in a nonputrescent state, using refrigeration when necessary. Transport vehicles must be managed to prevent access by unauthorized persons. The OSHA approved biohazard symbol sign must be permanently affixed to all four sides of the cargo-carrying body.